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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,481	07/27/2006	Kazuhiko Sekimoto	65825(52650)	9850
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EXAMINER				
OBEID, FAHD A				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/587,481

Applicant(s)

SEKIMOTO ET AL.

Examiner

FAHD A. OBEID

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/27/2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-624/IC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 07/27/2006, 11/09/2006

DETAILED ACTION

Status of the Application

1. **Claims 1-9** are pending in this application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 1 recites the limitation "by assuming" which renders the claim vague and indefinite. It is unclear whether the function preceding the limitation is actually performed. Thus the limitation is not positively recited.
5. Claim 1 recites the limitation "identifying each of products" should be "identifying each of said/the products"
6. Claim 4 recites the limitation "included in said data on actually received incoming products" should be "included in said data on said/the actually received incoming products".

7. Claim 6, the phrase "such that" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1, 2, and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin (US 2002/0143635) in view of Ngai (US 2005/0289083).

11. Regarding Claim 1: Goodwin discloses a product management system in which a production management computer installed in a production plant of products and a management warehouse computer installed in a management warehouse for managing a process from arrival and storage of the products sent from said production plant to their shipment are connected with each other via a communication line, wherein said production management computer comprises:

- A pre-shipment data creating means for creating pre-shipment data including (fig 2, paragraphs 17, 19, 26, and 34);
- Product data including product identification data for identifying each of products and representing features of said products (paragraphs 15, 24, 25, and 32).
- A pre-shipment data transmitting means for transmitting said pre-shipment data to said management warehouse computer (Inventory Management Software adds new shipments of products to inventory data file; see fig 2, paragraphs 17, 19, 26, and 34).

Wherein said management warehouse computer comprises:

- A reader device for reading a first medium, said first medium being provided on said package and bearing the package identification data of said packages (RFID Interrogators; see figs 1 & 2).
- An incoming product inventory management means for storing the package identification data, excluding said product data, in a storage medium as data on actually received incoming products by assuming that products corresponding to the product identification data associated with said package identification data have arrived if the package identification data are read from said first medium read by said reader device and the

package identification thus read exist in the pre-shipment data that had been stored in said management warehouse computer (Inventory Management Software combines information from RFID Interrogators to determine current inventory levels; fig 2, paragraphs 17, 34, 39, and claim 1).

Goodwin does not explicitly disclose package identification data.

However, Ngai does disclose the following:

- Package identification data for identifying a package containing one or more of said products, said package identification data being associated with said product identification data (figs 3-6, paragraphs 9, 27, 28, and claim 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Ngai's teachings in Goodwin's system and method of managing inventory enabled, for the advantage of providing authentication and validation of supplies packaged in containers (Ngai; paragraph 5).

12. Regarding Claim 2: Goodwin discloses a product management system according to claim 1, wherein said first medium includes at least one of a barcode, a two-dimensional code and a contact-free identification element (paragraphs 15, 30, and 34).

13. Regarding Claim 5: Goodwin discloses a product management system according to claim 1, wherein said first medium comprises an active type RFID tag capable of reading out and

rewriting in a contact-free manner, while said reader device comprises antennae installed in a conveying passage of said packages (paragraph 34).

14. Regarding Claim 6: Goodwin discloses a product management system according to claim 5, wherein said pre-shipment data creating means is constituted such that a second medium provided on said product comprises a passive type RFID tag whose communication range is narrower than that of said first medium, while said package identification data read out of said first medium and product identification data read out of said second medium are associated with each other to create said pre-shipment data (paragraph 34).

15. Regarding Claim 7: Goodwin discloses a product management system according to claim 6, wherein every time said package identification data read out of said first medium are received subsequently to said product identification data read out of said second medium, said pre-shipment data creating means creates pre-shipment data by associating said product identification data with said package identification data (paragraph 34).

16. Claims 3, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin (US 2002/0143635) in view of Ngai (US 2005/0289083) as applied to claims 1, 2, and 5-7 above, and further in view of Urabe (US 7,099,728).

17. Regarding Claims 3, 8, and 9: Goodwin does not explicitly disclose position identification data, process steps in a production line, and RFID tag writing to allow a date and hour in a work completion data.

However, Urabe does disclose the following:

- A product management system according to claim 1, wherein said incoming product inventory management means allows position identification data to be included in said data on actually received incoming products to be stored in said storage means in addition to said package identification data, said position identification data identifying positions of said packages as stored, corresponding to said package identification data by being associated therewith (figs 3, 10, 11, 17, & 21).
- A product management system according to claim 5, wherein said product management system further comprises: a plurality of sensor means, corresponding to respective process steps in a production line; a second medium provided on the product passing through said production line, said second medium comprising a passive type RFID tag whose communication range is narrower than that of said first medium; and an RFID tag writing instruction means for allowing work completion data indicating the completion of work to be written in said second medium at each process step corresponding to said sensor means, when said sensor means senses presence of said second medium (figs 1, 4-6, 17, 21, & 23, col 3 lines 1-50, col 5 lines 6-10, and col 8 lines 47-52).
- A product management system according to claim 8, wherein said RFID tag writing instruction means allows a date and hour said sensor sensed the presence of said second

medium to be included in said work completion data (figs 3, 10, 11, 17, & 21, col 6 lines 11-12, and col 8 lines 6-10).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Urabe's teachings in Goodwin's system and method of managing inventory enabled, for the advantage of enabling product quality information to be tracked throughout the life cycle of a product as it passes through the processes of parts incoming, production, outgoing inspection, and market (Urabe; col 1 lines 10-13).

18. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin (US 2002/0143635) in view of Ngai (US 2005/0289083) as applied to claims 1, 2, and 5-7 above, and further in view of Lucas (US 6,996,538).

19. Regarding Claim 4: Goodwin does not explicitly disclose operator identification data.

However, Lucas does disclose a product management system according to claim 1, wherein after reading said medium, said reader device outputs operator identification data for identifying read operators whose identification data are stored beforehand to said incoming product inventory management means together with the package identification data included in said first medium, while said incoming product inventory management means allows said operator identification data to be included in said data on actually received incoming products to be stored in said storage means in addition to said package identification data, with said operator

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identification data being associated with said package identification data (col 3 lines 35-44, col 8 lines 9-43, and claims 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Lucas's teachings in Goodwin's system and method of managing inventory enabled, for the advantage of monitoring individuals (employees) activities (Lucas; col 3 lines 41-44).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FAHD A. OBEID whose telephone number is (571)270-3324. The examiner can normally be reached on Monday to Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fahd Obeid
Patent Examiner
02/17/2008

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